

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40205 of 2020

Arising Out of PS. Case No.-306 Year-2019 Thana- KHAJANCHI HAT District- Purnia

MD. MUNTAZIM S/O Md. Tamiz @ Tamizuddin Resident of Village -
Kathgawan, P.S. K. Nagar, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Ritambhara, Adv.

For the Opposite Party/s : Mr. Chandra Sen Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2021 Heard Ms. Kumari Ritambhara, learned counsel for
the petitioner and Mr. Chandra Sen Pd. Singh, Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with K.
Hat (Sahayak) PS Case No. 306/2019 registered for the offence
punishable under Sections 363, 366/34 of the IPC.

3. The allegation, as per First Information Report,
lodged by the father of the victim girl stating therein that on
30.04.2019, while his married daughter along with her 2 ½ years
old child was returning back from a marriage ceremony on an
auto-rickshaw, petitioner along with other co-accused person,
namely, Faizal Rehman stopped the auto-rickshaw and
forcefully abducted her and fled on a motorcycle leaving behind
her 2 ½ years old baby, Aliza Parvin on the road.



4. Learned counsel for the petitioner submits that there is a delay in lodging of the FIR inasmuch as the occurrence allegedly, took place on 30.04.2019 but the FIR has been lodged on 05.05.2019, after five days of unexplained delay. Learned counsel further submits that the fact of the matter is that the co-accused, Md. Faizal @ Faizal Rehman was having love affair with the victim girl prior to her marriage and the statement of the victim girl was recorded under Section 164 of the CrPC (Anneuxre-2) and from perusal of the same, it appears that the allegation of sexual abuse is against the said co-accused, Md. Faizal @ Faizal Rehman who has been granted bail by a co-ordinate Bench of this Court *vide* order dated 13.01.2020 in Cr. Misc. No. 26081/2020.

5. Learned counsel also submits that the petitioner is in custody since 20.08.2020 and he has got no criminal antecedents and the charge-sheet has also been submitted in the matter.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 20.08.2020 having no criminal antecedents and the charge-sheet has also been submitted in the matter, I am inclined to grant regular bail to the



petitioner.

7. Accordingly, let the petitioner, MD. MUNTAZIM be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) PS Case No. 306/2019.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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